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To: Microsoft ATR
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Subject: Proposed DOJ / Microsoft settlement

I have been familiar with computing and the computer industry for nearly twenty years now. I have long seen the adverse effects of Microsoft's monopolies in these areas and I cannot see how the settlement that is proposed even pretends to remedy the antitrust violations for which Microsoft has been found culpable.

The company has already been found in violation and this is the penalty phase of the case. However, I cannot understand how the settlement contains no penalties and actually advances Microsoft's operating system monopoly.

As an example of the current 'problem' of Microsoft's monopoly in the OS and office productivity software markets, I point to the ubiquitous '.doc' file. This one proprietary file format I believe is one of the cornerstones of Microsoft's OS/productivity suite monopoly. Many people I know in the business community regularly purchase updated versions of Microsoft Windows and Microsoft Office for the sole reason that their correspondents send them .doc files as e-mail attachments. The options for importing these files into third party applications are many; however, having personally tried a large number of such programs, both free and commercial, I can safely say that many work well some of the time, none work well all of the time. The continuing cycle of forced upgrades to maintain compatibility with correspondents lies at the heart of Microsoft's monopoly.

As a solution to this kind of problem, I believe that Microsoft should be compelled to disclose the specifications of the file formats used by its products to anyone who sends or receives files in such formats and requests the information.

Left unsolved, this problem is bound to be more severe in the future. It has been widely reported recently that Microsoft is considering moving to a yearly licensing-fee system for its OS and Office software. In this case, files created with licensed software and saved in proprietary formats may be permanently unavailable to the creator or owner of the data in the file if a user or company chooses to terminate its license. I may own the copyright of the work I create, but that is of little value if the only copy of the work in existence is one saved in a format to which I do not have access. I will be required to maintain my yearly license merely to access my past body of work.

Of course the .doc file format is not the only proprietary file format Microsoft products use, and the arguments above apply equally well to other products and file formats. The .doc format is likely the most

important however, because text-based documents appear to be the most commonly shared and transmitted.

I am also urging to court to act on future technologies as well.

Microsoft is now planning to add vast pieces of the Internet to it's web of interdependencies. With it's initiative .Net, whole portions of the web would be cut off from non-Microsoft technologies. We have seen a glimpse of the monopolist's vision of the future with the UK and MSN portal, designed by Microsoft and accessible only with Microsoft technology.

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